

Form: ICB-19001-01 rev. 01

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

Isabel C. Balboa
Chapter 13 Standing Trustee
Cherry Tree Corporate Center
Chapter 13 Standing Trustee
Cherry Tree Corporate Center
535 Route 38, Suite 580
Cherry Hill, NJ 08002-2977

In Re:

Michael R. Smith
Kelly A. Hamburg

Debtor(s)

Case No.: 19-11154 (JNP)

Hearing Date: 12/15/2021

Judge: Jerrold N. Poslusny Jr.



Order Filed on December 15, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two(2) through four(4) is hereby

ORDERED.

DATED: December 15, 2021

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Page 2 of 4

Debtor: Michael R. Smith and Kelly A. Hamburg

Case No.: 19-11154 (JNP)

Caption of Order: ORDER CONFIRMING CHAPTER 13 PLAN

The modified plan of the debtor having been proposed to the creditor, and a hearing having been held on the Confirmation of such Plan, and it appearing that the applicable provision of the Bankruptcy Code have been complied with, particularly 11 USC § 1329; and for good cause show, it is

ORDERED that the modified plan of the above named debtor, dated 11/05/2021, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor; and it is further

ORDERED that the debtor shall pay the Standing Trustee, Isabel C. Balboa, the sum of \$351.00 **for a period of 50 months** beginning immediately, which payment shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586, together with \$12,321.00 paid to date.

ORDERED that debtor shall pay.

Base dividend to timely filed non-priority unsecured claims, or claims allowed pursuant to an order of the Court.

Page 3 of 4

Debtor: Michael R. Smith and Kelly A. Hamburg

Case No.: 19-11154 (JNP)

Caption of Order: ORDER CONFIRMING CHAPTER 13 PLAN

ORDERED that if the debtor should fail to make plan payments for a period of more than 30 days, the Standing Trustee may file, with the Court and served upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that the Standing Trustee is authorized to pay post-petition claims filed pursuant to 11 U.S.C. §1305(a), in the amount filed by the post-petition claimant.

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any discharge.

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte an Amended Order Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed.R.Bank. P.3002.

Page 4 of 4

Debtor: Michael R. Smith and Kelly A. Hamburg

Case No.: 19-11154 (JNP)

Caption of Order: ORDER CONFIRMING CHAPTER 13 PLAN

ORDERED that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor and file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

ORDERED that any post-confirmation appreciation in the estate of the debtor be used for the benefit of the unsecured creditors.

ORDERED that any funds accrued to a creditor who has not filed a timely proof of claim be used for the benefit of the unsecured creditors.

ORDERED as follows:

Total plan length of 84 months.

In re:
Michael R Smith
Kelly A Hamburg
Debtors

Case No. 19-11154-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin

Page 1 of 2

Date Rcvd: Dec 15, 2021

Form ID: pdf903

Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 17, 2021:

| Recip ID | Recipient Name and Address |
|----------|--|
| db/jdb | + Michael R Smith, Kelly A Hamburg, 107 Bowling Green, Voorhees, NJ 08043-4903 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 17, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 15, 2021 at the address(es) listed below:

| Name | Email Address |
|----------------------|--|
| Denise E. Carlon | on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com |
| Isabel C. Balboa | ecfmail@standingtrustee.com summarymail@standingtrustee.com |
| Isabel C. Balboa | on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com |
| Jason Brett Schwartz | on behalf of Creditor BMW Bank of North America jschwartz@mesterschwartz.com |
| Joseph J. Rogers | on behalf of Joint Debtor Kelly A Hamburg jjresq@comcast.net jjrogers0507@gmail.com |
| Joseph J. Rogers | |

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: Dec 15, 2021

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Total Noticed: 1

on behalf of Debtor Michael R Smith jjresq@comcast.net jjrogers0507@gmail.com

Kevin Gordon McDonald

on behalf of Creditor PNC BANK NATIONAL ASSOCIATION kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8